

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>T. RAWDON BEATY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No.: 2:05-880</b>
	)	
<b>MERCK &amp; CO., INC., a foreign</b>	)	
<b>Corporation, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

**NOTICE OF TRANSFER TO**  
**THE EASTERN DISTRICT OF LOUISIANA**

COMES NOW, Defendant Merck & Co., Inc. ("Merck"), and hereby notifies this Honorable Court that the Judicial Panel on Multidistrict Litigation (JPML) has overruled the Plaintiff's objection to transfer of this action (under Conditional Transfer Order No. 26) to the Eastern District of Louisiana for coordinated pretrial proceedings before the Honorable Eldon E. Fallon in MDL-1657. [See Order, attached hereto as **Exhibit A**]. Therefore, pursuant to 28 U.S.C. § 1407, this action is "transferred to the Eastern District of Louisiana and, with the consent of that court, assigned to the Honorable Eldon E. Fallon for inclusion in the coordinated or consolidated pretrial proceedings occurring there in this docket." [See Order, attached hereto as **Exhibit A**].

Respectfully submitted, this the 20th day of February, 2006.

/s/ Austin Huffaker  
R. AUSTIN HUFFAKER, JR. (ASB-3422-F55R)  
One of the Attorneys for Merck & Co., Inc.

OF COUNSEL:

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 20, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record:

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